

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SALVADOR VENEGAS,
Plaintiff,

v.

E. MENDOZA, et al.,
Defendants.

Case No. 1:21-cv-00962-DAD-EPG (PC)

ORDER DENYING DEFENDANTS' EX
PARTE APPLICATION TO VACATE
SETTLEMENT CONFERENCE

(ECF No. 32)

Before the Court is Defendants E. Mendoza, Grimsley, Cornejo, C. Layshot, Mattingly, Muñoz, and Cahapisan's ex parte application to vacate the settlement conference currently set for March 10, 2022. (ECF No. 32.) Defendants' application, which was filed on March 4, 2022, explains that counsel has acquired new information that leads him to believe that this case is not a candidate for early settlement. (*Id.*) Additionally, after an informal conversation with Plaintiff, Defendants' counsel believes that the parties are too far apart to benefit from mediation. (*Id.*) The application also states that Plaintiff is not opposed to vacating the settlement conference. (*Id.*)

Having considered the application, and in light of the circumstances of the case, the Court declines to vacate the settlement conference. While the Court appreciates the additional information, it nonetheless believes that the conference may still be beneficial.

The Court will request that Defendants' counsel promptly attempt to contact Plaintiff and/or the Litigation Coordinator at his institution, as appropriate, to confirm that the application

1 was denied and the settlement conference will proceed as scheduled.

2 Accordingly, IT IS HEREBY ORDERED that Defendants' ex parte application (ECF No.
3 32) to vacate the March 10, 2022 settlement conference is DENIED. The settlement conference
4 will go forward as previously set.

5
6 IT IS SO ORDERED.

7 Dated: **March 7, 2022**

/s/ Eric P. Grogan
8 UNITED STATES MAGISTRATE JUDGE